

## Article 13 – Mixed-Use Zones

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### 25.13.01 – Purpose

- a. The purposes of the Mixed-Use Zones are as follows:
  1. To create high-quality neighborhoods and ~~districts~~ zones that are attractive and pedestrian-oriented;
  2. To allow for a mix of different types of land uses in a compatible manner, both vertically and horizontally;
  3. Consistent with the Environmental Guidelines, to ensure the provision of public spaces that enhance the built environment;
  4. To minimize automobile use and maximize the use of public transportation, bicycle, and pedestrian access within the City;
  5. To promote ~~mixed uses in proximity to each other~~ a variety of uses in close proximity to each other in compliance with the Master Plan's recommendations;
  6. To establish performance standards to ensure that allowed uses will not create a nuisance for other uses within the same development;
  7. To provide standards and guidelines for assuring that the appearance and design of buildings, ~~and~~ structures, and neighborhoods ~~is~~ are compatible with existing nearby buildings and structures, and/or complies with any adopted design guidelines for the area in which the building or structure is to be located;
  8. To provide for a variety of residential uses and diverse styles of housing which are compatible with the intent of each of the Mixed-Use Zones; and
  9. To provide for more efficient land use, particularly a development pattern more flexible in adjusting to market conditions and local growth fluctuations.
- b. In order to achieve these purposes, the Mixed-Use Zones permit a variety of uses within the allowable building envelopes, which can include residential, offices, and retail sales, and in certain zones light industrial uses.

### 25.13.02 - Zones Established

To achieve the intent of the recommendations of the Master Plan, each mixed-use zone contains different sets of standards and requirements to respond to the needs of individual neighborhoods of the City. These mixed-use zones are listed below, along with a description of the purpose of each zone.

Type of Zone	Distinguishing Feature	Name of Zone
<b>Mixed Use</b>	Intended for use in areas near <del>the</del> Metro stations, it allows for high-density development of retail, office, and residential uses consistent with the recommendations of the Town Center Master Plan and the Rockville Pike Corridor Master Plan.	Mixed-Use Transit District Zone ("MXTD") <sup>1</sup>
	Intended for areas along <del>the</del> major highway corridors outside of the MXTD Zone areas, it allows for medium density development of retail, office, and residential uses. Because of the nature of highway corridor areas, the zone provides flexibility in the siting of buildings relative to major roadways and other site requirements to accommodate service drives and required parking.	Mixed-Use Corridor District Zone ("MXCD")
	Intended for areas that are either currently developed or are recommended for development primarily for office, light industrial, and industrial park uses, this zone allows for medium density development of office, retail, and residential uses. A mix of office and residential uses, including live/work and work/live units, is encouraged.	Mixed-Use Employment ("MXE")
	Intended for areas that are either currently developed or recommended for development primarily for retail sales, neighborhood services, <u>home improvement services</u> , and compatible residential development in areas convenient to both higher-density commercial <del>districts</del> <u>zones</u> and single-unit detached residential uses. This zone allows for <del>low to moderate density development of a range of densities as determined by the applicable master plan and permits</del> retail, service, office, and residential uses. <del>This zone is not intended to provide for major employment, so office uses are limited.</del>	Mixed-Use Business ("MXB")

<sup>1</sup> For purposes of ~~satisfactory~~ satisfying the requirements of Article 2B, 9-102.1(g) "Rockville license," of the Annotated Code of Maryland, property within this zone shall be deemed to be within the Rockville Town Center zone.

Type of Zone	Distinguishing Feature	Name of Zone
Mixed Use	Intended for sites that are either currently developed or recommended for development primarily for local retail and service uses in areas either within or in close proximity to single-unit detached residential uses. This zone allows for low to moderate density development of retail, service, office, and residential uses. This zone is not intended to provide for major employment, so office uses are limited.	Mixed-Use Neighborhood Commercial ("MXNC")
	<u>Intended for sites that are either currently developed or recommended for development primarily for local retail and service uses in areas either within or in close proximity to single-unit detached residential uses. This zone allows for low density development of retail, service, office, and residential uses. This zone is not intended to provide for major employment, so office uses are limited.</u>	<u>Mixed-Use Commercial ("MXC")</u>
	Intended for areas that are located between moderate or high-density development and single-unit detached residential neighborhoods, together with other transitional zones. This zone allows for development of low density multi-unit and townhouse residential development, and may include other neighborhood-serving uses.	Mixed-Use Transition ("MXT")

Note: Provisions for development in Planned Development areas are contained in Article 14.

### 25.13.03 – Land Use Tables

- a. The uses permitted in the Mixed-Use Zones are as shown in the table below.
- b. Uses are subject to applicable conditions of site plan approval.
- d. All special exceptions are subject to the requirements of Article 15.
- e. Key: P = Permitted Use; C = Conditional Use; S = Special Exception; N = Not Permitted

	Uses	Zones							Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
<b>a. Residential uses</b>	Dwelling, single unit detached	N	C	C	C	C	<u>P</u>	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, one-unit semi-detached (duplex)	N	N	C	<u>C</u> <u>P</u>	C	<u>N</u>	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, townhouse	N	C	C	<u>P</u> <u>C</u>	C	<u>N</u>	<u>P</u> <u>C</u>	Conditional use subject to the requirements of Sec. 25.13.04.a.
<b>Residential (con't)</b>	Dwelling, multiple-unit	P	P	P	P	P	<u>C</u>	C	Conditional use allowed only where recommended in the Plan Conditional use subject to the requirements of Sec. 25.13.04.a.
	Live/work unit	P	P	P	P	P	<u>P</u>	P	
	Personal living quarters	P	P	P	P	P	<u>N</u>	P	
<b>b. Home-based business enterprise</b>	Minor	P	P	P	P	P	<u>P</u>	P	See Sec. 25.09.07
	Major	S	S	S	S	S	<u>P</u>	S	See Secs. 25.09.07 and 25.15.02.h
<b>c. Institutional uses</b>	Adult day care	P	P	P	P	P	<u>P</u>	S	
	Charitable or philanthropic institution	P	P	P	C	C	<u>C</u>	C	Conditional uses must not exceed 5,000 sq. ft. of gross floor area
	Child care home	C	C	C	P	P	<u>P</u>	P	Conditional use permitted only in single-unit detached dwelling
	Child care center:								
	9 – 12 children	P	P	P	P	P	<u>P</u>	P	
	More than 12 children	P	P	P	P	P	<u>P</u>	P	

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		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
<b>Institutional uses (con't)</b>	Educational institution, private	P	P	P	P	S	<u>P</u>	S	See. Sec. 25.15.02.g
	Housing for senior adults and persons with disabilities	P	P	P	S	P	<u>S</u>	S	See Sec. 25.15.02.j
	Library, museum, and art gallery or studio	P	P	P	P	C	<u>C</u>	C	Conditional uses must not exceed 5,000 sq. ft. of gross floor area
	Nursing home	N	P	P	S	S	<u>N</u>	S	See. Sec. 25.15.02.i
	Place of worship	P	P	P	P	P	<u>P</u>	P	
<b>d. Medical services</b>	Ambulance service	N	P	P	C	C	<u>C</u>	N	Conditional use must not adjoin or confront residential uses
	Hospital	S	S	P	S	P	<u>N</u>	P	See Sec. 25.15.02.i
	Medical practitioners office in an apartment building	P	P	C	N	C	<u>N</u>	N	Conditional use subject to the requirements of Sec. 25.13.04.b
	<del>Veterinarian</del> Veterinary office and animal hospital	P	P	P	P	C	<u>P</u>	C	Conditional uses must not exceed 2,500 sq. ft. of gross floor area.
<b>e. Miscellaneous uses</b>	Kennel	N	N	C	N	N	<u>N</u>	N	No outside runs
	Private club	P	P	P	P	S	<u>N</u>	S	
	Public utility building and structure	P	P	P	P	P	<u>P</u>	C	Conditional uses in buildings must have a residential appearance and comply with the height, bulk and setback requirements of the relevant zone
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	P	P	P	P	S	<u>P</u>	S	

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Miscellaneous uses (con't)	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	C	C	<u>C</u>	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication freestanding ground mounted antenna support structure	S	S	S	S	S	<u>S</u>	S	Subject to the requirements of Sec. 25.09.08 and 25.15.02.s
f. Temporary uses	Temporary building or yard for construction materials or equipment, <del>both incidental and necessary to construction in the immediate area.</del>	C	C	C	C	C	<u>C</u>	C	Conditional use subject to the requirements of Sec. 25.09.04
	Temporary office or model home <del>both incidental and necessary for the sale or rental of real property in the immediate area.</del>	C	C	C	C	C	<u>C</u>	C	Conditional use subject to the requirement of Sec. 25.09.04
	Christmas tree sales <del>between the fourth Friday in November and December 25.</del>	C	C	C	C	C	<u>C</u>	C	
	Garden produce <del>only during the months of May through October</del>	C	C	C	C	C	<u>C</u>	<del>N</del> <u>C</u>	

	Uses	Zones							Conditional requirements or related regulations
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<b>Temporary uses (con't)</b>	Temporary carnival or local festival	C	C	C	N	N	<u>C</u>	N	
<b>h. Commercial, office, and industrial uses</b>	<b>Retail sales and services:</b>								
	Alcoholic beverages for consumption off the premises	P	P	P	P	C	<u>C</u> <sup>1</sup>	C	For conditional use, tenant area limited to 5,000 sq. ft. of gross floor area
	Alcoholic beverages for consumption on the premises of any restaurant	P	P	P	P	P	<u>P</u>	P	
	Auctioneer and commercial gallery	P	P	P	P	C	<u>C</u>	C	For conditional use, tenant area limited to 2,500 sq. ft. of gross floor area
	Boats and marine supplies	N	C	C	<del>N</del> <u>C</u>	N	<u>N</u>	N	All sales and storage must be indoors
	Consumable goods to be used in the home	P	P	P	P	C	<u>P</u>	C	Conditional uses limited to 2,500 sq. ft. of gross floor area for each tenant, other than a grocery store or drug store
	Drug store with drive-through	C	C	C	C	C	<u>C</u>	C	Conditional use subject to the requirements of Sec. 25.13.04.c
	Durable goods to be used in the home	P	P	P	P	C	<u>C</u>	N	For conditional use, tenant area is limited to 2,500 sq. ft. of gross floor area
	Flowers, except from outdoor garden or greenhouse	P	P	P	P	C	<u>C</u>	C	For conditional use, tenant area is limited to 2,500 sq. ft. of gross floor area

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<b>Commercial, office, and industrial uses</b> (con't)	Funeral home	C	C	C	C	C	<u>C</u>	C	Cremations permitted only where existing as of (date of adoption)
	Garden supplies	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>C</u>	<u>P</u> <u>C</u>	Indoor sales only
	<u>Home improvement service</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	
	Home maintenance services	P	P	P	P	P	<u>P</u>	P	
	Mobile uses	C	C	C	C	C	<u>C</u>	C	See Sec. 25.09.04.d.5
	Multiple product range retail store (department store)	P	P	N	N	C	<u>N</u>	N	Conditional use limited to a maximum of 25,000 sq. ft. of gross floor area.
	Office business equipment sales and service	P	P	P	P	N	<u>P</u>	N	
	Personal care facility	P	P	P	P	P	<u>P</u>	P	
	<u>Personal Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	Pet grooming	N	P	P	P	P	<u>P</u>	P	
	Public transportation station	P	P	P	C	C	<u>C</u>	C	Conditional use must comply with any recommendations of the Plan
	Repair of household appliances, inc'l home electronic equipment	P	P	P	P	P	<u>P</u>	N	
	Taxicab service	<u>P</u> <u>N</u>	<u>P</u> <u>N</u>	<u>P</u> <u>S</u>	P	N	<u>N</u>	N	See Sec. 25.15.02.g
	Wearing apparel and related accessories	P	P	P	P	C	<u>C</u>	C	Conditional uses limited to 2,500 sq. ft. of gross floor area for each tenant
	Wearing apparel services	P	P	P	P	P	<u>P</u>	P	



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Commer- cial, office, and industrial uses (con't)	<b>Food Services:</b>								
	Carry-out	P	P	P	P	P	<u>P</u>	P	
	Caterer, no seating	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	
	Restaurant, no drive-through	P	P	P	P	P	<u>P</u>	P	
	Restaurant with drive-through	<u>N</u>	S	N	<del>N</del> <u>S</u>	N	<u>S</u>	N	See. Sec. 25.15.02.c
	<b>Office Uses:</b>								
	<u>Archival Record Storage</u>	N	N	P	P	N	<u>N</u>	N	
	Bank <del>and</del> or financial institution	P	P	P	P	P	<u>P</u>	P	
	Bank <del>and</del> or financial institution with drive-through	C	C	C	C	C	<u>C</u>	C	Conditional use subject to the requirements of Sec. 25.13.04.d
	Duplicating service	P	P	P	P	C	<u>C</u>	C	Conditional uses limited to 2,500 sq. ft. of gross floor area
	General <del>and</del> or professional office	P	P	P	P	C	<u>C</u>	C	Conditional uses limited to 4,000 sq. ft. of gross floor area for each tenant
	Medical <del>and</del> or dental laboratory	P	P	P	P	N	<u>N</u>	N	
	Medical <del>and</del> or professional office	P	P	P	<del>C</del> <u>P</u>	C	<u>C</u>	C	Conditional uses are limited to no more than 4,000 gross sq. ft. of floor area per tenant
	<u>Non-medical research laboratory</u>	N	N	P	P	N	<u>N</u>	N	

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	<b>Motor vehicle services:</b>								
	Automobile parts sales; no installation or service	N	P	P	P	N	<u>N</u>	N	
<b>Commercial, office, and industrial uses</b> (con't)	Automobile filling station (Class I and II)	S	S	S	S	S	<u>S</u>	<del>S</del> <u>N</u>	See Sec. 25.15.02.c
	Automobile fluid maintenance station	N	P	P	P	N	<u>N</u>	N	
	Automobile rental	P	P	P	P	N	<u>P</u>	N	
	Automotive repair facility garage	N	P	P	P	N	<u>N</u>	N	
	Mechanical car wash	N	P	P	N	N	<u>N</u>	N	
	Motor vehicle and trailer sales, indoor; including new and reconditioned parts and accessories and service incidental thereto. <sup>2</sup>	C	C	P	C	N	<u>N</u>	N	For conditional uses, all accessory uses and activities must be located in the same building as the sales use.
	Motor vehicle and trailer sales, outdoor; excluding trucks and trailers exceeding three-fourths-ton capacity, when conducted as an accessory use to indoor motor vehicle and trailer sales <sup>2</sup>	N	C	C	N	N	<u>N</u>	N	Vehicle storage areas must be screened to 100% opacity from adjacent or confronting residential development in a residential zone.

	Uses	Zones							Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	Motor vehicle towing service, without storage on the premises	N	N	N	P	N	<u>N</u>	N	
Commercial, office, and industrial uses (con't)	Tires, batteries and accessory sales, including service incidental thereto.	N	N	N	P	N	<u>N</u>	N	
	<b>Parking facilities:</b>								
	Commercial parking facility	C	C	C	C	N	<u>N</u>	N	Conditional use subject to the requirements of Sec. 25.13.04.e
	Structures	P	P	P	<del>N</del> <u>C</u>	N	<u>C</u>	N	Conditional use must be consistent with the design and locational recommendations of the relevant master plan.
h. Assembly and entertainment	Health and fitness establishment	P	P	P	P	C	<u>C</u>	C	Conditional use limited to 4,000 gross square feet of floor area.
	Hotel	P	P	P	P	<del>N</del> <u>S</u>	<u>N</u>	N	
	Indoor entertainment establishment, commercial, except shooting gallery or range	P	P	P	P	<del>N</del> <u>C</u>	<u>N</u>	N	Conditional use subject to a Level 2 Site Plan Review
	Outdoor recreational establishment, commercial, except shooting gallery or range.	S	S	S	N	<del>N</del> <u>S</u>	<u>N</u>	N	

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	Recreational and sport facility, indoor, commercial. Sports facility, multi-purpose, indoor commercial	P	P	P	P	<del>N</del> <u>S</u>	<u>N</u>	N	
Assembly and entertainment (con't)	Recreational establishment, indoor, commercial, except shooting gallery or range	N	P	P	P	<del>N</del> <u>S</u>	<u>N</u>	N	
	Rental hall for meetings and social occasions	P	P	P	P	<del>N</del> <u>C</u>	<u>N</u>	N	Conditional uses limited to a maximum of 4,000 square feet of gross floor area.
	Shooting gallery or range	N	N	S	N	N	<u>N</u>	N	
	Theater, including dinner theater	P	P	P	N	N	<u>N</u>	N	
i. Industrial and service uses	Service industrial use	N	N	<b>P</b>	C	N	<u>N</u>	N	Conditional use must not adjoin or confront single-unit dwellings
	Light and medium industrial use	<u>N</u>	N	P	N	N	<u>N</u>	N	

<sup>1</sup> Conditional use in the MXC Zone is not permitted when adjoining a Single Unit Development Residential Zone.

<sup>2</sup> Consistent with the operational characteristics of a vehicle sales facility, the use should be generally consistent with the intent of the design guidelines for the zone as set forth in Section 25.13.07.

#### 25.13.04 – Special Regulations for Conditional Uses

- a. *Residential* – Where residential uses are permitted as conditional uses in a Mixed-Use Zone, other than the MXC Zone, they are only allowed in those areas of the zone recommended for such use in the Plan. The Planning Commission in

approving such conditional uses shall establish such development standards as deemed necessary to ~~under render~~ such uses suitable and compatible with the surrounding uses and in accordance with the intent of the Plan. In the Mixed-Use Commercial (MXC) Zone, multiple-unit dwellings are not permitted at the ground floor level.

- b. *Medical Practitioner's Office in a ~~Multiple-Family Unit Dwelling~~*– The conditional use must meet the following standards:
  - 1. The exterior of the building must not be altered except for display of a sign;
  - 2. No office can be located on a floor above the highest ground floor entry, and the interior office entrance must be located so as to minimize the distance to the exterior entry; and
  - 3. Off-street parking must be provided in accordance with Article 16 ~~beyond~~ in addition to those spaces required for the residential portion of the building.
- c. *Drug Store with Drive-Through Service Window* – In the MXTD Zone, the drive-through must be incorporated and enclosed within a building or structure. In the other zones where allowed, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.
- d. *Banks and Financial Institutions with Drive-Through* – In the MXTD Zone, the drive-through must be incorporated and enclosed within a building or structure. In the other zones where allowed, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.
- e. *Commercial Parking ~~Facilities~~ Facility* – This use is only permitted as part of a parking structure. At least 75% of the ground level floor street frontage must be devoted to commercial uses.

### 25.13.05 – ~~Dimensional~~ Development Standards

- a. *Build-To Lines* – Where a build-to line established in the Plan is required, at least 70% of the length of the building wall facing that line must be set at the build-to line.
- b. *~~Dimensional~~ Development Standards*
  - 1. The following table sets forth the development standards for each of the Mixed-Use Zones:

Zone	Maximum Height (in feet)	Public Use Space (min. %)	Setbacks					Special Regulations
			Public Right-of-way Abutting	Side		Rear		
				Residential Land Abutting	Non-residential Land Abutting <sup>1</sup>	Residential Land Abutting	Non-residential Land Abutting	
<b>MXTD</b>	120 <sup>2</sup>	20	None	25'	None	25'	None	See Secs. 25.13.05.b.2.(a) and 25.13.05.b.2.(e)
<b>MXCD</b>	75	20	None	25' or height of building, whichever is greater	None 10' min. if provided	25' or height of building, whichever is greater	None 10' min. if provided	See Secs. 25.13.05.b.2.(b) and 25.13.05.b.2.(3)
<b>MXE</b>	120	<del>25</del> <u>20</u>	None required ; 10' min. if provided	25' or height of building, whichever is greater	None 10' min. if provided	25' or height of building, whichever is greater	None 10' min. if provided	See Sec. 25.13.05.b.2.(c) and 25.13.05.b.2.(e)
<b>MXB</b>	55	20	None required ; 10' min. if provided	25' or height of building, whichever is greater	None required; 10' min. if provided	25' or height of building, whichever is greater	None required; 10' min. if provided	
<b>MXNC</b>	<del>50</del> <u>45</u> <sup>3</sup>	<del>25</del> <u>20</u>	None required ; 10' min. if provided	25' or height of building, whichever is greater	None required; 10' min. if provided	25' or height of building, whichever is greater	None required; 10' min. if provided	See Sec. 25.13.05.b.2.(e)
<b><u>MXC</u></b>	<u>30'</u>	<u>20</u>	<u>10'</u>	<u>15'</u>	<u>None required; 10' min. if provided</u>	<u>25' or height of building, whichever is greater</u>	<u>None required; 10' min. if provided</u>	
<b>MXT</b>	35	20	10'	10'	None	20'	None required; 10' min. if provided	

<sup>1</sup>Nonresidential Land Abutting Side Setback – This term also includes multi-unit residential uses with a height of 45 feet or greater.

<sup>2</sup>MXTD Height Increase - Height may be increased to 150 feet in accordance with the provisions of Section 25.13.05.b.2(a), below.

<sup>3</sup>MXNC Height Increase - Height may be increased to 65 feet in accordance with the provisions of Section 25.13.05.b.2.(d) below.

## 2. *Building Height*

- (a) MXTD Zone– Building facades adjoining a public street right-of-way ~~are limited in~~ should have a range of heights to of between 45 and a maximum of 55 65 feet at the street line. Additional building height up to ~~the maximum~~ allowed is permitted by setting the building back at a ratio of 1:1 from the 55 foot height at the street line, or by setting back the upper stories at a ratio of 1:1 from the 55 foot height at the street line. 120 feet may be allowed where recommended by the Plan or where approved by the Mayor and Council as part of a project plan under Section 25.07.06. Building walls that exceed 250 feet in length must should vary the façade height by at least ten feet (10') within the range of 45 to 55 feet for a length of at least 25 feet for some distance along the length of the building wall in order to avoid a monotonous, monolithic appearance. At the time of Project Plan Review or Site Plan Review, the approving body authority may alter these requirements consistent with any applicable adopted design guidelines or recommendations in the relevant Plan.

Where recommended in the Plan, or if approved by the Mayor and Council as part of a project plan approval in accordance with Section 25.07.06, building height may be increased beyond 120 feet up to 150 feet under the following conditions:

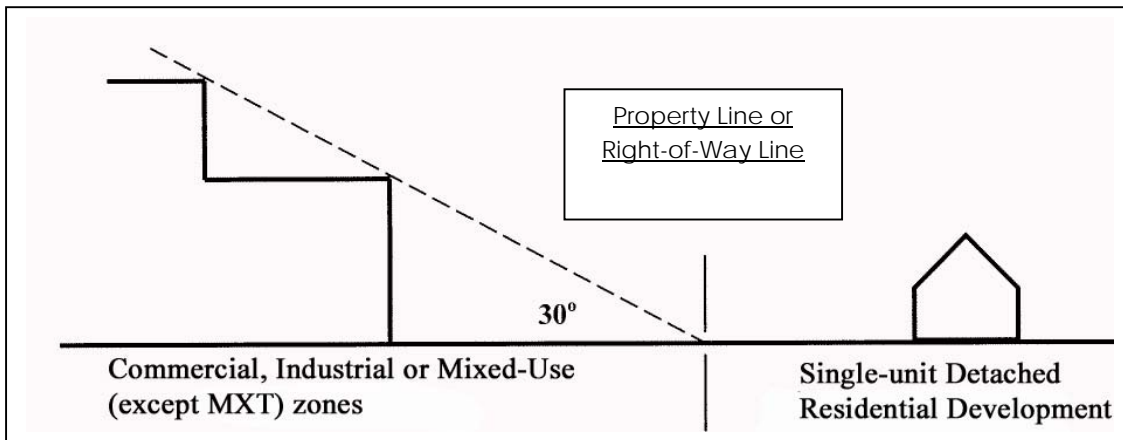
- (i) The public use space requirement must be provided on the site;
- (ii) The building footprint cannot occupy more than 80% of the net lot area;
- (iii) The building design exceeds the urban design recommendations of the applicable Master Plan; and
- (iv) The building is must be designed for maximum energy conservation and/or complies with any energy conservation standards set forth in this Code.

- (b) MXCD Zone– Building facades adjoining a public street right-of-way ~~are limited in~~ should have a range of heights to of between 35 and a maximum of

~~55~~ 50 feet at the street line. Additional building height up to ~~the maximum~~ allowed is permitted by setting the building back at a ratio of 1:1 from the 55 foot height at the street line, or by setting back the upper stories at a ratio of 1:1 from the 55 foot height at the street line. 75 feet may be allowed where recommended by the Plan or where approved by the Mayor and Council as part of a project plan under Section 25.07.06. Building walls that exceed 250 feet in length ~~must~~ should vary the façade height by at least ten feet (10') ~~within the range of 45 to 55 feet for a length of at least 25 feet for some distance along the length of the building wall in order to avoid a monotonous, monolithic appearance.~~ At the time of Project Plan Review or Site Plan Review, the Approving body Authority may alter these requirements consistent with any applicable adopted design guidelines or recommendations in the relevant Plan.

- (c) *MXE Zone* – Buildings that exceed 45 feet in height, and do not abut any land existing or planned for a Single-Unit Detached or Semi-Detached Residential Zone, must be set back from the side and rear lot lines by a distance at least equal to one-half (1/2) the height of the building.
- (d) *MXNC Zone* - Building height may be increased up to 65 feet when found suitable in accordance with the Plan.
- (e) *Setbacks from Residential Development Layback Slope* – In addition to the height limits set forth in this Article, building height cannot penetrate a layback slope line of 30 degrees, beginning from the closest ground point of the lot line of any property in the Public Park Zone or within any Residential Zone where single unit detached, ~~or semi-detached, or townhouse~~ development exists ~~or is shown on the Plan, regardless of~~ without regard to intervening roads or other transportation facilities as shown in Figure 13.1. This layback slope requirement does not apply to the following:
  - (i) Nonresidential historic sites or public parks in the Mixed-Use zones;
  - (ii) Sites in a single-unit detached residential zone developed or recommended for nonresidential uses;
  - (iii) Areas adjacent to the MXT Zone;
  - (iv) Areas adjacent to the MXC Zone; or
  - (v) Areas within a PD Zone.





**Figure 13.1- Layback Slope Example**

c. *Other Standards and Requirements for New Development or ~~Substantial~~ Redevelopment*

1. Conversion of Space - Areas of a building originally designed for commercial or office use are encouraged to be designed to accommodate the conversion of the space to residential uses.
2. Entryways - Areas of a building originally designed for residential use at the ground floor level, having individual entries to the units, ~~must~~ should have the entry from the ground level raised at least two feet (2'), or have another form of demarcation between the public sidewalk and the private entry. In order to be readily convertible to retail space, such areas must have a minimum ceiling height of 15 feet.
3. Access - Areas of a building intended for nonresidential uses must not have any access to areas of the building used for residential purposes. The residential areas must have their own private entries.
4. Moderate Price Dwelling Unit Ordinance Compliance - Any development that includes residential units must comply with the Moderate Price Dwelling Unit requirements of Chapter 13 of the Code.
5. Public Use Space - In the ~~MXTD and MXCD-Z~~ Mixed-Use Zones, the method of meeting the public use space requirement is as follows:

Public use space must be arranged in a manner that facilitates public access and use. Such space must be accessible for use and enjoyment by the general public, and may include space so located and treated as to enhance the amenity of the development by providing landscaping features, screening, or a general appearance of openness. Additional open space may be required where the relevant applicable Master Plan recommends additional public use space. Where it is not feasible to provide the required amount of public use space on-site, a fee-in-lieu will be collected in accordance with a policy set by resolution of the Mayor and Council, such fees to be utilized for provision of to provide public use space in close proximity to the site from which the fee was collected.

- (a) For sites below 40,000 square feet, where the building heights are less than 65 feet, and which are developed with nonresidential uses, the public use space requirement may be met by paying a fee-in-lieu in accordance with the provisions of Section 25.17.01.d.
- (b) For sites of 40,000 square feet and greater, or for sites of any size where the building height is 65 feet or more, and which are developed with nonresidential uses, a minimum of ten percent (10%) of the public use space must be provided on-site. The balance may be provided on-site, or by paying the fee-in-lieu in accordance with the provisions of Section 25.17.01.d.
- (c) For sites which include residential development, at least ten percent (10%) of the public use space must be provided on-site. The balance may be provided on-site, or by paying the fee-in-lieu in accordance with the provisions of Section 25.17.01.d.
- d. Existing Structures or Development - Any structure or development in existence as of \_\_\_\_\_ (effective date) that conforms to the development standards and requirements of the zone in effect immediately prior to (date of adoption) is considered to be conforming. In the event the structure or development is damaged or destroyed by fire, flood, explosion, or other cause or casualty outside the control of the property owner, the structure or development may be reconstructed to the density and configuration which existed immediately prior to the damage or destruction. Any extensions or additions to the existing structure or development that exceed five percent (5%) of the pre-existing gross floor area must comply with all the development standards and requirements of the zone in which the property is located. If a structure is demolished, or a redevelopment of a site occurs, due to causes within the control of the property owner, all reconstruction and redevelopment must comply with the development standards and requirements of the zone in which the property is located, and any aspect of the previous development that did not comply with such standards and requirements cannot be replaced.

### **25.13.06 – Additional Design Guidelines**

a. *Aesthetic and Visual Characteristics for All Zones*

1. *Facades and Exterior Walls Including Sides and Backs* – Buildings must be designed in a way that avoids the massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character, and scale. ~~Long Building walls of at least greater than 100 feet long must be broken up with~~ must include projections, or recessions, or other treatments of sufficient depth along all sides, and in sufficient number, to reduce the unbroken massing into lengths of approximately 50 feet or less of the facade along all sides of the building facing public streets. ~~Projections from the facade can be used as an alternate approach.~~

Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least 60% of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.

*Detail Features* – Buildings must include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs. Examples of such features are included in the City of Rockville's Guidebook to Design Guidelines for Retail Establishments and Shopping Centers.

2. *Roofs* – Roof design must provide variations in rooflines and add interest to, and reduce the massive scale of, large buildings. Roof features must complement the architectural and visual character of adjoining neighborhoods. Roofs must include two (2) or more roof planes. Parapet walls must be architecturally treated to avoid a plain, monotonous look.
3. *Materials and Color*
  - (a) *General Standards* - Buildings ~~must~~ should have exterior building materials and colors that are aesthetically pleasing and compatible with materials and colors that are used in adjoining neighborhoods. This includes the use of high-quality materials and colors that are low reflective, subtle, neutral, or earth tone. Certain types of colors must be avoided such as fluorescent or metallic although brighter colors, ~~in limited quantities, as building trims and as accents~~ may be considered at the discretion of the Planning Commission.

- (b) Materials Not Desired - Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials must be avoided unless the exterior surface is covered with an acceptable architectural treatment.
- 4. *Items Allowed Not Facing a Public Street* - The following items are only allowed either on sides not facing a public street or in the rear yard:
  - (a) Window and wall air conditioners;
  - (b) Electric utility meters;
  - (c) Air conditioning compressors;
  - (d) Irrigation and pool pumps;
  - (e) Antennas; and
  - (f) Satellite dishes.

This provision does not apply to single-unit detached, semi-detached, or townhouse dwellings that may be located in a Mixed-Use Zone.

- 5. *Entryways* – Building design must ~~provide~~ include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly-visible customer entrances.
- 6. *Screening of Mechanical Equipment* – Mechanical equipment must be screened to mitigate noise and views in all directions. If roof-mounted, the screen must be designed to conform architecturally to the design of the building either with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.
- b. *Site Design and Relationship to Surrounding Community*
  - 1. *Vehicular Access* – In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access only from an arterial, major, or business district road as designated in the ~~Master~~ Plan.
  - 2. *Buffers* – Each site must provide visual and noise buffers to nearby residential uses. This can be accomplished by providing a substantial building setback from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to ~~the site~~ any property line where it adjoins residential uses or zones. The landscape buffer

should include ~~canopy trees~~ a variety of tree types at regular intervals with groupings of trees to provide noise, light, and visual screening. No other uses, such as, but not limited to, parking or storage, are permitted within the buffer area.

### 3. *Outdoor Sales and Storage*

- (a) General Standards - Areas for outdoor sales of products may be permitted if they are extensions of the sales floor into which patrons are allowed free access. Such areas must be incorporated into the overall design of the building and landscaping and must be permanently defined and screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors to those that are predominantly used on the building facade. Outdoor sales areas shall be considered as part of the gross floor area of the retail establishment.
- (b) Prohibition of Certain Sales and Storage - Outdoor storage of products in an area where customers are not permitted is prohibited. This prohibition includes outdoor storage sheds and containers. Outdoor storage of motor vehicles in connection with a motor vehicle sales business is allowed, so long as the vehicles stored are only for sale at that location.

### 4. *Trash Collection Area*

- (a) Location - Trash, recycling, and waste oil/grease collection areas must be located at least 50 feet from any residential use, residentially zoned property, or street that is adjacent to the site, unless such operations are located entirely within an enclosed building or underground. All such areas must be property covered or secured.
- (b) Screening - All trash collection areas that are not within an enclosed building or underground must be property secured and covered and screened or recessed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas must conform to the predominant materials used on the site.

### 5. *Parking Lots and Structures*

- (a) Parking Area Standards - Parking areas must provide safe, convenient, and efficient access. They must be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping must be used to define

parking areas, primary vehicular drives, and pedestrian areas in an aesthetically and environmentally pleasing manner.

- (b) *Parking Structure Appearance* - Parking structure facades should achieve the same high quality design and appearance as the buildings they serve. The parking structures' utilitarian appearance should be minimized by utilizing effective design treatments such as colonnades, green walls, arcades, awnings, street furniture and other public amenities. Compatible materials, coordinated landscaping and screening, appropriate building color, sensitive lighting, and signage should all be considered for garage facades.
6. *Pedestrian Flows* – Each site must provide for pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development ~~to~~ of the project. Continuous internal pedestrian walkways, no less than eight feet (8') in width must be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Sidewalks must also connect retail uses to transit stops on or off-site and to nearby residential neighborhoods. Sidewalks must be provided along the full length of any building where it adjoins a parking lot.
7. *Central Features and Community Spaces* – Development must provide attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer drop-off/pick-up points that may be provided should also be integrated into the design and should not conflict with traffic lanes or pedestrian paths. Special design features such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces must anchor pedestrian ways. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these areas.
8. *Delivery and Loading Spaces, Hours of Operation*
- (a) *Design* - Delivery and loading operations must be designed in accordance with the provisions of Article 16 and located so as to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations must not be permitted between 10 p.m. and 7 a.m. For good cause shown, the Planning Commission may permit deliveries at additional times provided the applicant submits evidence that sound barriers between all areas for such operations effectively reduce emissions to a level of 55 dB or less, as measured at the lot line of any adjoining property. Delivery and loading areas must be substantially set back from a residential use or residentially zoned

property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to the delivery and loading area where it adjoins residential uses or zones. The landscape buffer should include evergreen shrubs and/or trees plus deciduous canopy trees at regular intervals, as appropriate, to provide ~~noise~~, light, and visual screening. If the delivery and loading spaces are located within an enclosed building or underground, no such setback and buffer area shall be required.

- (b) Parking of Delivery Trucks - Delivery trucks must not be parked in close proximity to or within a designated delivery or loading area during non-delivery hours with motor and/or refrigerators/generators running, unless the area where the trucks are parked is set back at least 50 feet from residential property to mitigate the truck noise.
  - (c) Screening - The delivery and loading areas ~~must~~ should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen must be of masonry construction and at least ten feet (10') high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock.
9. *Ancillary Uses* – The applicant must demonstrate that any ancillary uses will not have negative impacts on adjacent residential uses, residentially zoned properties, or adjacent properties. Any ancillary use must be oriented to face away from any residential use or residentially zoned property that is adjacent to the site.
  10. *Noise Abatement* – A noise mitigation plan must be provided that indicates how the noise initiated by the land use will be mitigated to comply with noise regulations applicable in the City of Rockville. This includes compliance with the noise regulations set forth in Chapter 31B of the Montgomery County Code.
  11. *Outdoor Lighting* – Outdoor lighting shall be in conformance with the Landscaping, Screening and Lighting manual.
  12. *Landscaping* – Landscaping shall be in conformance with the Landscaping Screening and Lighting manual.
- c. *Retail Store Size Limitations and Design and Site Development Guidelines for Retail Stores and Shopping Centers in MXTD and MXCD Zones*
    1. *Limitation on Size of Retail Stores in MXTD and MXCD Zones*
      - (a) In ~~the~~ MXTD and MXCD Zones, no retail establishment shall exceed 65,000 square feet of total gross floor area.

- (b) Notwithstanding the foregoing, when an otherwise lawful retail establishment exists in the MXCD Zone as of (date of adoption), such structure is considered a development nonconformity but may be continued, structurally altered, repaired, or reconstructed so long as it is not increased, extended or enlarged beyond the gross floor area of the building that existed on (date of adoption). To the extent practicable, the design and site development guidelines of this Section must be applied to any alteration, reconstruction, or repair that takes place after (date of adoption).
- 2. *Design and Site Development Guidelines for Certain Developments in the MXTD and MXCD Zones* – Retail establishments containing greater than 25,000 square feet of gross floor area and shopping centers of any size, are subject to the design and site development guidelines contained in subsection c.1 ~~and 2~~ above. These guidelines must be applied as part of the review and site plan approval. For developments in the MXCD Zone, which are also subject to the design guidelines in the Rockville Pike Corridor Master Plan or Town Center Master Plan, if there is any conflict between the guidelines, the more restrictive guideline applies.

#### 25.13.07 – Special Design Regulations for Individual Mixed-Use Zones

- a. *Mixed-Use Transit District Zone (MXTD)* – The MXTD Zone is intended to foster the implementation of the relevant Master Plan recommendations for areas in close proximity to the Metro rail stations.
  - 1. *Building Location* – In order to meet the intent of the Master Plan, buildings in the MXTD Zone should be located at the front property line(s), including corner lots, or the build-to line where established by the Plan. Access to the rear, if required, should be via alleys. If access is required from the front, the driveway entry should be a portal penetrating the façade of the building. The continuity of the building façade must be maintained above the drive entry.
  - 2. ~~*Ground Floor*~~ *Uses by Floor* – The ground floor must contain retail or public-related service uses along those streets designated in the Master Plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor must have a ceiling height of at least 15 feet. The upper floors may be additional retail, office, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses.
  - 3. *Facade* – ~~Along the front lot line, the building façade is normally a minimum of 45 feet. Variations of up to ten feet (10') may be allowed as set forth in Section 25.13.05.b.2.(a) to achieve some variety in the façade appearance. Building~~



~~facades should include an expression line at the first floor level, and a defined cornice line at the top of the façade wall. Buildings with a façade more than 200 feet long must have an off-set from the building line of at least two feet (2') for each 100 feet of façade length. Such off-sets must be at least 25 feet wide. The façade design must be consistent with the guidelines set forth in Section 25.13.05.b.2(a). Where the façade height exceeds 35 feet, the façade should include an expression line above the first floor level and a defined cornice line at the top of the façade wall.~~

4. *Fenestration* – Generally, fenestration of the stories above the ground floor is to ~~should be~~ by individual framed windows. Continuous strip windows may be allowed by the Planning Commission if they are used to maintain compatibility with existing contiguous projects.
  5. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they ~~must~~ should comply with the ~~standards and requirements set forth in Article 17 provisions of Section 25.17.05.~~
  6. *Parking* – On-site parking must be provided in accordance with the requirements of Article 16. Parking must be located to the side or in the rear of the buildings unless ground floor retail is provided, in which case limited parking may be allowed in the front to serve the retail uses. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated in the same manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining properties.
- b. *Mixed-Use Corridor District Zone (MXCD)* – This zone is intended for areas along major highway corridors in areas beyond the MXCD. It allows for moderate density development of retail, office, service, and residential uses. Because of the nature of the locations where it is applied, the zone provides some flexibility in the siting of buildings relative to major highways to accommodate service drives and required parking.
1. *Building Location* – In order to meet the intent of the ~~Master~~ Plan, buildings in the MXCD Zone should be located at the front property line or the build-to line where established by the ~~Master~~ Plan. Access should be to the rear, via alleys with access from the side street(s).
  2. *~~Ground Floor Uses by Floor~~* – ~~Along the front lot line, the building façade must be a minimum of 35 feet high.~~ The ground floor must contain retail or service uses dealing directly with the public along those streets designated in the Master Plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor must have a ceiling height of at least 15 feet. The upper floors may be additional commercial, residential, or a

combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses.

3. *Facades* – ~~Along the front lot line, the building façade must be a minimum of 35 feet high.~~ Building facades should generally include an expression line at the first floor level, and a defined cornice line at the top of the façade wall. Variations of up to ten feet (10') in height may be allowed as set forth in Sec. 25.13.05.b.2(b) to achieve some variety in the façade appearance. Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects. Buildings with a façade more than 250 feet long must have an off set from the building line of at least two feet (2') for each 100 feet of façade length. Such off sets must be at least 25 feet wide. The façade design must be consistent with the guidelines set forth in Section 25.13.05.b.2(b). Where the façade height exceeds 35 feet, the façade should include an expression line above the first floor level and a defined cornice line at the top of the façade wall.
4. *Fenestration* - Generally, fenestration of the stories above the ground floor ~~is to~~ should be by individual framed windows. Continuous strip windows may be allowed by the Planning Commission if they are used to maintain compatibility with existing contiguous projects.
5. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they ~~must~~ should comply with the ~~standards and requirements set forth in Article 17.provisions of Section 25.17.05.~~
6. *Parking* – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. ~~Structured parking must not be visible from a public street or from an adjacent ground level public transitway.~~ Any parking structure facades visible from the street or a transitway must be treated in a similar manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining properties.
  - ~~Surface parking facing properties existing or recommended for exclusive residential development must be screened to 100% opacity with walls, fences, vegetation, or a combination thereof.~~
- c. *Mixed-Use Employment ~~Distriet~~ Zone (MXE)* – This zone is intended for areas that are either currently developed or are recommended for development primarily for office and industrial park uses.

1. *Building Location* – Where recommended by the Master Plan, buildings in the MXE Zone should be located close to the front property line or at a build-to line (vis-a-vis, a service drive) where established by the Plan.
2. ~~*Ground Floor*~~ *Uses by Floor* – The ground floor may contain retail and other commercial uses along those streets designated in the Master Plan as major pedestrian spines. The upper floors may be additional retail, office, residential, or a combination of uses.
3. *Façade* – Along the front lot line, the building façade is normally a minimum of 20 feet high. Building facades taller than ~~two (2) stories~~ 35 feet should generally include an expression line at the first floor level, and a defined cornice line at the top of the façade wall.
4. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they ~~must~~ should comply with the ~~standards and requirements set forth in Article 17.~~ provisions of Section 25.17.05.
5. *Parking* – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated ~~in the same~~ a similar manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining properties. ~~Surface parking facing properties recommended for residential development must be screened to 100% opacity with either walls, fences, vegetation, or a combination thereof.~~
6. *Special Regulations for Residential Development in the MXE Zone*
  - (a) Residential uses may be allowed in those areas recommended for such uses in the relevant Master Plan, or where the Mayor and Council or the Planning Commission, as the case may be, determines that the use is compatible with adjoining and confronting uses by means of landscaping, screening, or other measures. In this case, residential development is limited to townhouses, multi-unit, or live-work units. Ground floor retail uses primarily intended to serve the residents may be included.
  - (b) Residential uses are permitted in buildings containing principally office uses, but are limited to no more than 20% of the gross floor area.
  - (c) In order to maintain compatibility, residential uses other than ~~or~~ live-work units are not permitted in buildings that house primarily service industrial or other primarily industrial uses.

- d. Mixed-Use Business ~~District~~ Zone (MXB) – Except as may be otherwise determined by the Plan, this zone is intended for areas that are either currently developed or recommended for development primarily for community business and retail services.
  1. Building Location – Buildings in the MXB Zone should be located at or close to the front property line or the build-to line where required by the Master Plan.
  2. Uses by Floor - The ground floor must contain commercial or service uses. The upper floors may be additional commercial, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses. This provision does not apply where the applicable Master Plan recommends residential uses only.
  3. Façade – Along the front lot line, the building façade is normally a minimum of 15 feet high. Variations of up to five (5) feet ~~may be allowed~~ are encouraged to achieve some variety in the façade appearance. Taller heights at the front are allowed where determined appropriate in the Plan. The ground floor must contain commercial or service uses. The upper floors may be additional commercial, residential, or a combination of uses. Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects. Building facades taller than ~~two (2) stories~~ 35 feet should include an expression line at the first floor level, and a defined cornice line at the top of the façade wall.
  4. Fenestration - Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects.
  5. Sidewalks – Where sidewalks must be built new or rebuilt as part of redevelopment, they ~~must~~ should comply with the ~~standards and requirements set forth in Article 17.~~ provisions of Section 25.17.05.
  6. Parking – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated in the same a similar manner as the primary building facades, and the ground level facing the street must be occupied by commercial or personal service uses. All parking must be screened to prevent vehicle headlights from shining into adjoining properties. Surface parking facing properties recommended for residential development must be screened to 100% opacity with either walls, fences, vegetation, or a combination thereof.

7. *Adjacent to Residential* – Where the MXB Zone is confronts or is immediately adjacent to any property used or recommended in the ~~Master~~ Plan for single unit residential development, the architectural design of buildings adjoining, adjacent, or confronting such single unit residential uses should reflect the design and character of the existing residential buildings in the immediate vicinity. ~~In such cases, if the building height exceeds 35 feet, additional height up to the maximum must use the 45 degree upper story setback as shown in Figure 13.1~~ Section 25.13.05.b.2.
  
- e. *Mixed-Use Neighborhood Commercial District Zone (MXNC)* – This zone is intended for areas that are either currently developed or recommended for development primarily for neighborhood retail services.
  1. *Building Location* – Buildings in the MXNC Zone should be located at or close to the front property line or the build-to line where required by the ~~Master~~ Plan.
  2. *Uses by Floor* - The ground floor ~~must contain~~ may include both commercial and residential uses. The upper floors may be additional commercial, residential, or a combination of uses.
  3. *Façade* – Along the front lot line, the building façade is normally a minimum of 15 feet high. Variations of up to five (5) feet ~~may be allowed~~ are encouraged to achieve some variety in the façade appearance. ~~The ground floor must contain commercial or service uses. The upper floors may be additional commercial, residential, or a combination of uses. Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects.~~ Building facades taller than ~~two (2) stories~~ 35 feet should include an expression line at the first floor level, and a defined cornice line at the top of the façade wall.
  4. *Fenestration* - Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects.
  5. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they ~~must~~ should comply with the ~~standards and requirements set forth in Article 17.~~ provisions of Section 25.17.05.
  
- ii. 6. *Parking* – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street must be treated in the same manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining properties.

~~Surface parking facing properties recommended for residential development must be screened to 100% opacity with either walls, fences, vegetation, or a combination thereof.~~

- f. Mixed-Use Commercial Zone (MXC) – This zone is intended for areas that are either currently developed or recommended for development primarily for neighborhood retail services.
  1. Building Location – Consistent with the operational characteristics of the use, buildings in the MXC Zone should be located close to the front property line or at the build-to line where required by the Plan.
  2. Uses by Floor – Except in the case of single-unit detached residential buildings, the ground floor must contain commercial uses. The upper floors may be additional commercial, residential, or a combination of uses.
  3. Façade – Along the front lot line, the building façade is normally a minimum of 15 feet high. Variations of up to five (5) feet area encouraged to achieve some variety in the façade appearance.
  4. Fenestration – Fenestration of the upper floors is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects.
  5. Sidewalks – Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of Section 25.17.05.
  7. Parking – On-site parking must comply with the standards and requirements of Article 16. Parking should be located to the side or in the rear of buildings to the extent possible. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street must be treated in the same manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining properties.
  
- g. Mixed-Use Transition ~~District~~ Zone (MXT) – This zone is intended for areas that are located between medium and high-intensity development and single-unit dwelling detached residential neighborhoods. This zone allows for development of multi-unit and townhouse residential development, and may include neighborhood-serving retail uses.
  1. Building Location – Buildings in the MXT Zone should be located at or close to the front property line or the build-to line where established by the Plan.

2. ~~*Ground Floor Uses by Floor*~~ – The ground floor may contain retail, public-related service, office, or residential uses. The upper floors may be additional retail, office, residential, or a combination of uses.
3. *Façade* – Building facades should be generally consistent with the façade designs in the immediate neighborhood. ~~taller than two (2) stories should include an expression line at the first floor level, and a defined cornice line at the top of the façade wall. Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects.~~ Roofs should have a pitch compatible with nearby single-unit residential development.
4. *Fenestration* - Fenestration is to be by individual framed windows. Continuous strip windows are discouraged unless they are used to maintain compatibility with existing contiguous projects.
5. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they ~~must~~ should comply with the ~~standards and requirements set forth in Article 17.~~ provisions of Section 25.17.05.
- i. 6. *Parking* – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred and may not be visible from a public street. Any parking structure facades visible from the street must be treated in the same manner as the primary building facades. All parking must be screened to prevent vehicle headlights from shining into adjoining properties. ~~Surface parking facing properties recommended for exclusive residential development must be screened to 100% opacity with walls, fences, vegetation, or a combination thereof.~~
7. *Adjacent to Residential* – Where the MXT Zone is opposite or immediately adjacent to any property zoned or recommended in the Master Plan for ~~one-family~~ single-unit detached residential development, the architectural design of buildings adjoining or confronting one-family residential uses should reflect the design and character of the existing residential buildings in the immediate vicinity.

### 25.13.08 – Performance Standards

In order to assure compatibility between residential development and other types of uses sharing a common building or within a multi-building project, the following performance standards must be met:

1. *Noise* – Noise standards must comply with the regulations set forth in Chapter 31B of the Montgomery County Code.
2. *Vibration*
  - (a) Within a building, ~~no~~ or use, operation or activity is allowed to cause or create earthborn steady state vibrations in excess of the peak particle velocities of the following:
    - (i) Within a building: 0.02
    - (ii) At the lot line: 0.05
  - (b) Impact vibrations may be twice the above levels.
  - (c) Between the hours of 8 PM and 7 AM, all permissible vibration levels must be reduced to one-half (1/2) the indicated values.
3. *Lighting* – Lighting must comply with the *Lighting Standards and Guidelines for the City of Rockville* manual.
4. *Odors* – No odors generated by other uses in a building can penetrate into the residentially-developed portion of the building.
5. ~~*Green Open Area*~~ – ~~Green Open~~ area provided on the site must be arranged in a manner that is suitable for active or passive recreational use by residents, employees, and/or the public. Open area, where applicable and permitted, may be used to satisfy the requirements of the Forest and Tree Preservation Ordinance.

#### **25.13.09 – Accessories**

All accessories within mixed-use zones must comply with the provisions of Article 9 of this Chapter.

#### **25.13.10 – Nonconformities**

All nonconforming uses and structures within mixed-use zones must comply with the provisions of Article 8 of this Chapter.

#### **25.13.11 – Parking and Loading Requirements**

All parking and loading ~~within mixed-use districts~~ within mixed-use zones must comply with the provisions of Article 16 of this Chapter



### **25.13.12 - Landscaping and Buffer Requirements**

All landscaping and buffering ~~within mixed-use districts~~ within mixed-use zones must comply with the provisions of Article 17 of this Chapter and, where applicable, the Forest and Tree Preservation Ordinance.

### **25.13.13 – Signs**

All signs ~~within mixed-use districts~~ within mixed-use zones must comply with the provisions of Article 18 of this Chapter.

